

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Higher Education Department – Private Aided Colleges - Anwar Ul-Uloom Degree College, Hyderabad - Dr. Md. Aijazuddin Hamed, Lecturer in Urdu, Anwar Ul-Uloom Degree College, Hyderabad – Admission to Grant-in-Aid - Orders – Issued.

HIGHER EDUCATION (CE.II-2) DEPARTMENT
G.O.Rt.No. 196
Dated:02-04-2014
Read the following:-

1. From the Director of Collegiate Education, AP, Letter No.1998/Admn.V.I/2004, Dt.28.9.2004.
2. Govt. Memo No.5808/CE.II.2/2003, Higher Education (CE.II) Dept., Dated 14.12.2004.
3. From the CCE, AP, Lr.Rc.No.415/Admn.IV.1/05, Dt.30.10.10.
4. Orders of Hon'ble High Court in W.P.No.4602/2010, dated:18.08.2010 filed by Dr. Md.Aijazuddin Hamed, Lecturer in Urdu, Anwar Ul-Uloom Degree College, Hyderabad.
5. Govt. Memo No.5808/CE.II.2/2003, Higher Education (CE.II) Dept., Dated 18.02.2011
6. Orders Dt.26.3.2012 of the Hon'ble High Court in W.P.No.7923/2011, filed by Dr. Md.Aijazuddin Hamed.
7. Orders Dt.20-09-2013 of Hon'ble High Court of A.P. in WAMP No.2657 of 2013 in WA No.1675 of 2012, filed by Dr.Md.Aijazuddin Hamed.
8. From the CCE, AP, Letter No.415/Admn.IV-1/2005, dt:03-02-2014.
9. Order Dt.5.3.2014 in C.C.No.944/2013 filed by Dr.Md.Aijazuddin Hamed.

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ORDER:

In the reference first read above, the Director of Collegiate Education has stated that the Management of Anwarul Uloom College, Hyderabad has issued paper advertisement on 29.5.1990 for filling up of certain teaching posts including Urdu and conducted selections on 7.8.1990. Basing on the recommendations of the Selection Committee, the management has appointed Sri Md. Aijazuddin Hamed as Unaided Lecturer in Urdu and he joined on 8.8.1990. Subsequently an aided vacancy in Urdu has arisen w.e.f. 1.3.1997. The Correspondent vide letter No.A/522/AUCD/2001, Dt.27.3.2001 has submitted proposals for approval of appointment of Sri Aijazuddin Hamed, Lecturer in Urdu against Grant-in-Aid post. The Director of Collegiate Education, AP has requested the Government to pass appropriate orders on the absorption of the services of the above individual.

2. Government after examination, in the reference second read above, issued orders rejecting the proposals for absorption of Sri Md. Aijazuddin Hamed, Lecturer in Urdu, Anwar Ul-Uloom Degree College, Hyderabad in the aided vacancy of Urdu Lecturer in Anwarul Uloom College, Mallepally, Hyderabad.

3. Aggrieved by the above said orders, Dr. Md. Aijazuddin Hamed, Lecturer in Urdu, Anwar Ul-Uloom Degree College, Hyderabad has filed W.P. No.4602/2005 in the Hon'ble High Court of A.P. to set-aside the orders of the Government. In the reference 4th read above, the Hon'ble High Court in the above W.P. passed orders on 18.08.2010 directing the respondents to consider the case of the petitioner for absorption in the aided vacancy of Urdu Lecturer in the 3rd respondent College w.e.f. 27.03.2001, in the circumstances stated in the said order, by ratifying the selection made by the Selection Committee on 01.03.1997 and pass appropriate orders by extending all the consequential benefits. After due examination of the matter, the Government vide reference 5th read above, have rejected the request of the petitioner on the grounds stated therein.

4. Dr. Md. Aijazuddin Hamed has filed another W.P. No.7923/2011 in the Hon'ble High Court to absorb him into the existing vacancy in Anwar Ul-Uloom College, Hyderabad and the Hon'ble High Court in its orders dt.26.3.2012 in the reference 6th read above, directed to comply with the orders dt.18.8.2010 passed in W.P. No.4602/2005.

5. After examination, Government have filed WASR No.123040/2013 in the High Court of A.P. against the orders of Hon'ble High Court of A.P. in W.P. No.7923/2012, dt.26.3.2012. The above WASR was dismissed by the Hon'ble High Court vide orders dt.20.09.2013.

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6. On further examination of the case, the Government has decided to file S.L.P. in the Supreme Court of India, and accordingly directed the CCE, AP to file SLP. The CCE, AP, Hyderabad has filed S.L.P. vide diary No.40268/2013 in the Supreme Court of India, New Delhi against the orders of Hon'ble High Court. The SLP was dismissed by the Supreme Court of India vide their orders dt.31.01.2014.

7. The individual has filed Contempt Case No.944/2013 for implementation of the High Court Orders dt.18.8.2010 in W.P. No.4602/2005.

8. Government after careful examination of the matter decided to admit Dr. Md. Aijazuddin Hamed, Lecturer in Urdu, Anwar Ul-Uloom Degree College, Hyderabad to Grant-in-Aid against the vacant post of Urdu Lecturer in Anwarul Uloom College, Mallepally, Hyderabad w.e.f. 27.03.2001 i.e. the date on which the Correspondent of the College submitted proposals, duly extending all the consequential benefits. Accordingly, Government hereby order to admit Dr. Md. Aijazuddin Hamed, Lecturer in Urdu, Anwar Ul-Uloom Degree College, Hyderabad to Grant-in-Aid against the vacant post of Urdu Lecturer in Anwarul Uloom College, Mallepally, Hyderabad w.e.f. 27.03.2001 duly extending all the consequential benefits. It is further ordered that this case shall not be quoted as a precedent in future.

9. The Commissioner of Collegiate Education, A.P., Hyderabad shall take further action accordingly.

10. This order issues with the concurrence of Finance (PC.III) Department, vide their U.O.No.7175-B/91/A1/PC.III/2014, Dt.28.3.2014.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJAY MISRA
PRINCIPAL SECRETARY TO GOVERNMENT

To,
The Commissioner of Collegiate Education, A.P., Hyderabad

Copy to:

Dr. Md. Aijazuddin Hamed, Lecturer in Urdu, Anwar Ul-Uloom Degree College, Hyderabad through Commissioner of Collegiate Education, A.P., Hyderabad

The Correspondent, Anwar Ul-Uloom Degree College, Mallepally, Hyderabad.

The AG, AP, Hyderabad.

The PAO, AP, Hyderabad.

The Government Pleader, Higher Education Department, A.P High Court, Hyderabad.

SF/SC.

//FORWARDED BY ORDER//

SECTION OFFICER